

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Eastridge Road, 150' S of *
the c/l of Padonia Road * DEPUTY ZONING COMMISSIONER
(2426 Eastridge Road) *
8th Election District * OF BALTIMORE COUNTY
4th Councilmanic District *
Robert E. Donadio, et ux * Case No. 96-324-X
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 2426 Eastridge Road, located in the vicinity of Padonia Road in Lutherville. The Petition was filed by the owners of the property, Robert E. and Frances Donadio. The Petitioners seek approval of the use of 25% of the existing dwelling on property, zoned D.R. 3.5, for a professional office (Lawyer). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert and Frances Donadio, legal owners of the property, Paul Lee, Professional Engineer who prepared the site plan, Robert A. and Constance Webber, nearby residents of the area, and Ted Dicker, President of the local community association. Also appearing as an interested citizen was Mary Agnes Wolf, also a nearby resident. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.275 acres, more or less, zoned D.R. 3.5 and is improved with a two-story brick and frame dwelling, attached garage, and swimming pool. Mr. Donadio testified that he and his wife have lived on the property since 1970. He testified that he is a practicing attorney,

ORDER RECEIVED FOR FILING

Date

By

4/19/96
[Signature]

4-19-96

64 years of age, and that he would like to down-size his current practice, located at 309 East Joppa Road, and establish a small office within the basement of his home. Mr. Donadio indicated that he would bring in a part-time law clerk and secretary/receptionist to work with him out of his home. Furthermore, Mr. Donadio stated that he would meet with clients by appointment only and that they would be appropriately spaced so that there would be no parking congestion.

Mr. Donadio further testified that there are currently several other professionals, including dentists, doctors, pediatricians, etc., who have established offices within their homes throughout this community. He believes that operating his law practice from his basement would have no detrimental effect upon the surrounding neighborhood, given the fact that these other professional offices have existed without complaint. Furthermore, he testified that he raised seven children in this home, all of whom no longer reside therein, and that the level of traffic that might result from the proposed home office use would not be as great as if all his children were still living at home.

Mr. Paul Lee, the Professional Engineer who prepared the site plan of this property, testified on behalf of the Petitioner and described the proposed use. He testified that the current layout of the property lends itself to effectively handle the proposed law office. In response to the Office of Planning comments concerning parking availability, Mr. Lee and Mr. Donadio argued that there is sufficient space within the existing driveway and garage as well as along Eastridge Road to handle any additional parking which might be generated by the proposed use and, thus, do not believe it necessary to provide additional paved parking in the front yard. Furthermore, Mr. Donadio believes that to require such a parking

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Date

By

area in the front of his property would be an eyesore and detract from the residential character of the neighborhood.

Mr. Ted Dicker, President of the local community association, testified that he concurred with this position regarding parking in the front yard. Mr. Dicker has resided in this community for 25 years, and both he and his community association have no objections to a lawyer's office operating from the basement of this dwelling. Furthermore, the community is also opposed to any additional paving being done in the front yard of this property to preserve the residential integrity of the site.

Mr. Robert Webber, a 22-year resident of Tregarone Road, also supports the use proposed and believes that no additional parking need be provided in the front yard of this property.

Appearing as an interested citizen was Mary Agnes Wolf, who has resided in this community for the past 23 years. Ms. Wolf resides just down the street from the subject property on Tregarone Road. Ms. Wolf supports the use of the basement by Mr. Donadio as his law office; however, she is concerned about traffic congestion at the intersection of Eastridge Road and Padonia Road, as well as traffic on her own road. Ms. Wolf is concerned that the proposed use will generate additional traffic in the neighborhood and appeared at the hearing for assurance that such would not be the case. Furthermore, Ms. Wolf raised an issue regarding the sign which must be posted on the property announcing the hearing on this matter. Her testimony indicated that the sign was not posted on the property for the appropriate amount of time.


In response to this issue, Mr. Donadio testified that the Zoning Office had, in fact, posted his neighbor's property by mistake and that he notified the Zoning Office of this error so that his property could be

tions as more fully described below. Furthermore, I find that parking accommodations as they currently exist are sufficient to handle the additional traffic that might be generated by the proposed law office. Therefore, it is not necessary for the Petitioner to provide additional paved parking on the premises. The existing driveway, the garage on the south side of the property, and the availability of parking along Eastridge Road appear to be more than adequate to service the propose use and thus, no further improvements to provide additional parking on-site are necessary.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of April, 1996 that the Petition for Special Exception to approve the use of 25% of the existing dwelling on the subject property, zoned D.R. 3.5, for a professional office (Lawyer), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the existing parking is sufficient to accommodate any additional parking which might be generated by the proposed use and, thus, it will not be necessary for the Petitioner to provide additional paved parking on the premises.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 19, 1996

Mr. & Mrs. Robert E. Donadio
2426 Eastridge Road
Lutherville, Maryland 21093

RE: PETITION FOR SPECIAL EXCEPTION
W/S Eastridge Road, 150' S of the c/l of Padonia Road
(2426 Eastridge Road)
8th Election District - 4th Councilmanic District
Robert E. Donadio, et ux - Petitioners
Case No. 96-324-X

Dear Mr. & Mrs. Donadio:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Robert A. Webber
105 Tregarone Road, Timonium, Md. 21093

Ms. Mary Agnes Wolf
102 Tregarone Road, Timonium, Md. 21093

People's Counsel

✓ File

Paul Lee P.E.

Paul Lee Engineering Inc.

304 W. Pennsylvania Ave.

Towson, Maryland 21204

410-821-5944

96-324-X

DESCRIPTION

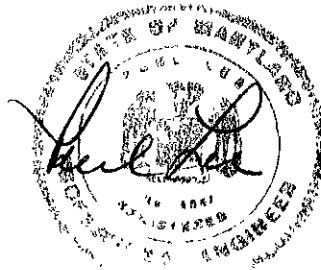
#2426 EASTRIDGE ROAD

8th ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of Eastridge Road, said point also being located S 01°48'49" E - 150.00 feet from the center of Padonia Road; thence running and binding on the east side of Padonia Road (1) S 01°48'49" E - 80.00 feet, thence leaving said east side of Eastridge Road (2) S 88°11'11" W - 125.00 feet, thence (3) N 01°48'49" W - 80.00 feet and (4) N 88°11'11" E - 125.00 feet to the point of beginning.

Containing 0.229 acres of land more or less.



J.O. 95-031
1/23/96

324

Engineers — Surveyors — Site Planners

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-324-X

District 8th Date of Posting 3-21-96

Posted for: April 8, 1996 hearing

Petitioner: Robert and Frances Donadio

Location of property: 2426 Eastridge Rd

Location of Signer: _____

Remarks: _____

Posted by Mark Gend Date of return: _____
Signature

Number of Signs: 1

APR 11 1996

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,

A. H. Erickson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-324-X
(Item 324)

2428 Eastridge Road
W/S Eastridge Road, 150' S of
of Padonia Road

8th Election District

4th Councilmanic

Legal Owner(s):

Robert E. Donadio and Frances Donadio

Special Exception: for the use of 25% of residence for a professional office (lawyer's office).

Hearing: Monday, April 8, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

3/10/96 March 14, C37/100

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013530

96-324-X

DATE 2/23/96 ACCOUNT 01-615

Item: 324

By: mfk

AMOUNT \$ 335.00

RECEIVED FROM: Donadio, Robert - 2426 Eastridge Road

050 - Special Exception - \$ 300.00

080 - 1 Sign

- \$ 35.00

\$ 335.00

FOR: _____

RECEIVED

0209180005011111

\$ 335.00

BA 10074309PM 02-23-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 324 Petitioner: Robert E. Donadio

Location: 2426 Eastridge Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert E. Donadio

ADDRESS: 2426 Eastridge Road

Timonium, MD 21093

PHONE NUMBER: 252-8063

TO: PUTUXENT PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Robert E. Donadio
2426 Eastridge Road
Timonium, MD 21093
252-8063

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-324-X (Item 324)
2426 Eastridge Road
W/S Eastridge Road, 150' S of c/l Padonia Road
8th Election District - 4th Councilmanic
Legal Owner: Robert E. Donadio and Frances Donadio

Special Exception for the use of 25% of residence for a professional office (lawyer's office).

HEARING: MONDAY, APRIL 8, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-324-X (Item 324)
2426 Eastridge Road
W/S Eastridge Road, 150' S of c/l Padonia Road
8th Election District - 4th Councilmanic
Legal Owner: Robert E. Donadio and Frances Donadio

Special Exception for the use of 25% of residence for a professional office (lawyer's office).

HEARING: MONDAY, APRIL 8, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Robert and Frances Donadio
Paul Lee Engineering, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1996

Robert E. Donadio, Esquire
2426 Eastridge Road
Lutherville-Timonium, MD 21093

RE: Item No.: 324
Case No.: 96-324-X
Petitioner: R. E. Donadio

Dear Mr. Donadio:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: March 13, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 2426 Eastridge Road

INFORMATION:

Item Number: 324

Petitioner: Robert E. Donadio

Property Size: _____

Zoning: DR 3.5

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The requested Special Exception for a lawyer's office to occupy 25% of the residence is located at 2426 Eastridge Road in the well maintained neighborhood of Coachford. The Baltimore County Master Plan 1989-2000 has designated this property as a Community Conservation area. The applicant must demonstrate that the use will not be detrimental to the health, safety and welfare of the neighborhood, will not overcrowd the land or create traffic congestion as per Section 502 of the Baltimore County Zoning Regulations.

The plan fails to indicate the number of employees proposed and the hours and days of operation. Proposed lighting should also be indicated on the plan.

The alternative parking layout will be detrimental to the character of the area as it will require paving over 60% of the front yard. The applicant should make other provisions for providing the five parking spaces or seek a Variance.

It should be noted that a sign with white letters on a red background is presently located at the basement entrance to the building with the address 2426A indicated. If the proposed Special Exception is granted, the sign should be replaced with one that is more residential in character not to exceed one square foot in area.

Prepared by: Jeffrey W. Long

Division Chief: Gayle L. Keller

PK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 11, 1996

FROM: *Pub* Robert W. Bowling, Chief
 Development Plans Review Division
 Department of Permits & Development
 Management

SUBJECT: Zoning Advisory Committee Meeting
 for March 11, 1996
 Item No. 324

The Development Plans Review Division has reviewed the subject zoning item. Prior to removal of any existing curb for the adjusted entrance, the Developer shall obtain a permit from the Permit and Development Management office.

The adjusted driveway shall be constructed in accordance with Baltimore County standards with depressed curb and 7-inch concrete approve within the right-of-way.

RWB:jrb

cc: File

ZONE1B

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBERT E. DONADIO & FRANCES DONADIO

Location: W/S EASTRIDGE RD., 150' S OF CENTERLINE PADONIA RD.
(2426 EASTRIDGE RD.)

Item No.: 324

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

3/18/96
f

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
PDM

DATE: March 13, 1996

FROM: Robert A. Wirth *RAW/pms*
Permits and Development Review
DEPRM

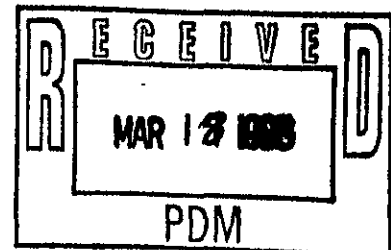
SUBJECT: Zoning Advisory Committee
Meeting of: March 4, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 316
317
318
319
322
323
324

RAW:sp

MTG/DEPRM/TXTSBP





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-1-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 324 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

RE: PETITION FOR SPECIAL EXCEPTION
2426 Eastridge Road, W/S Eastridge Rd,
150' S of c/l Padonia Road, 8th
Election District, 4th Councilmanic

Robert E. and Frances Donadio
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-324-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert E. Donadio, Esquire, 2426 Eastridge Road, Timonium, MD 21093, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

APR 11 1996

28/96
8

96-3617

102 Tregarone Road
Timonium, Maryland 21093-2522
24 June 1996

Baltimore County Government
Office of Planning and Zoning
c/o A. Jablon
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

Enclosed please find check # 579 @ \$20.00 for a copy of the tape of the
Zoning hearing of

8 April 1996

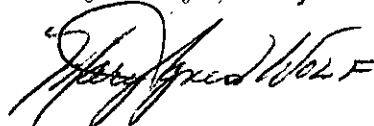
96 - 324 - X

PM 115

heard by Deputy Zoning Commissioner for
Baltimore County, Timothy M. Kotroco. Per phone call to the office, I
have been advised that this request would include copies of the pictures
presented by MaryAgnes Wolf.

Please send to: MaryAgnes Wolf
102 Tregarone Road
Timonium, Maryland
21093-2522

Very truly yours,



MaryAgnes Wolf
(Mrs.)

Pls. be advised that this office has a bad copy of
Encl: 1 the taped record of the above referenced hearing
due to a malfunction of the tape recorder.

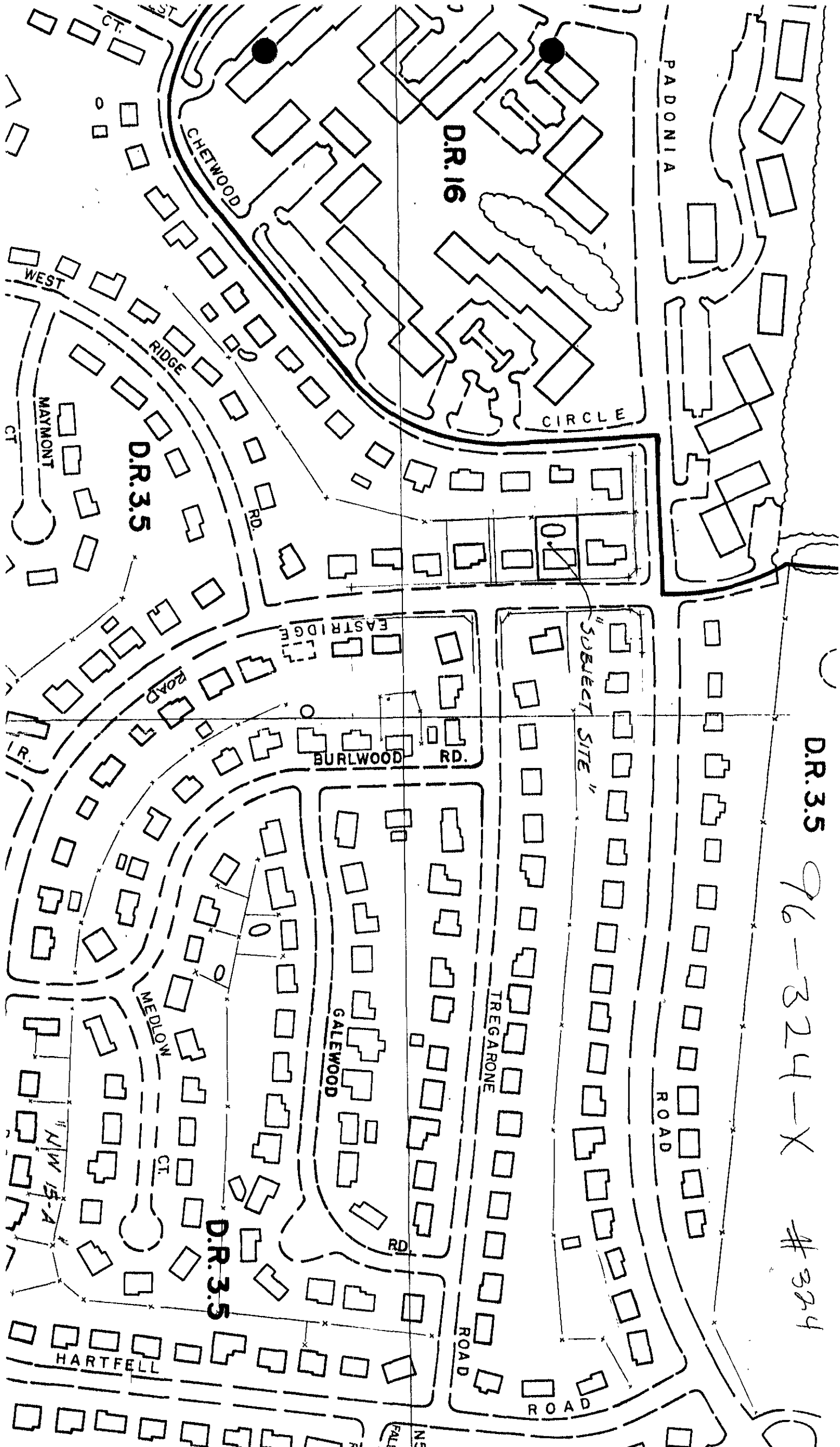
*Pls return the check of \$20.00 to Mrs. Wolf

2 1996

2010.06.24.18

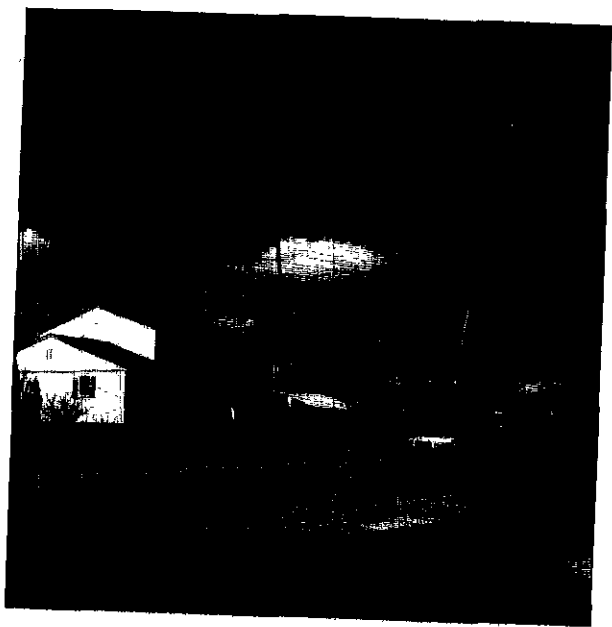
D.R. 3.5

96-324-X #324

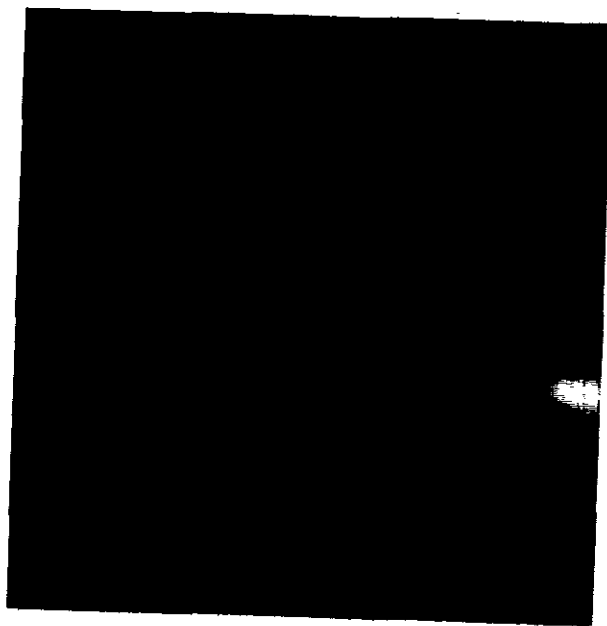
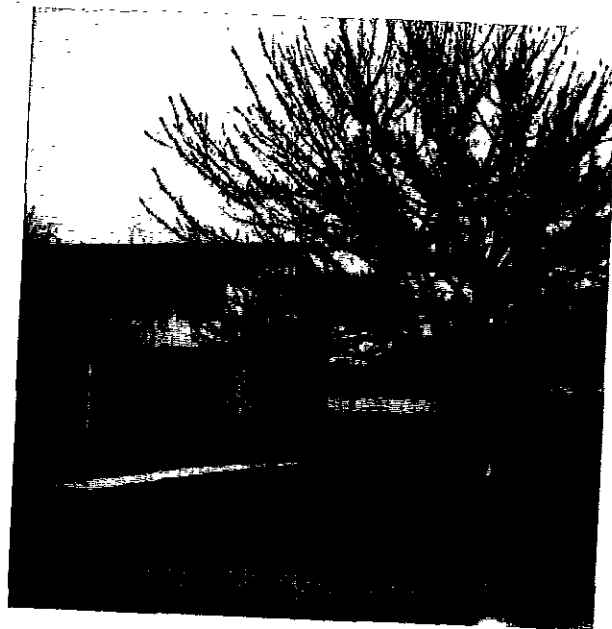


Citizen's
Exhibit
1A - 1E

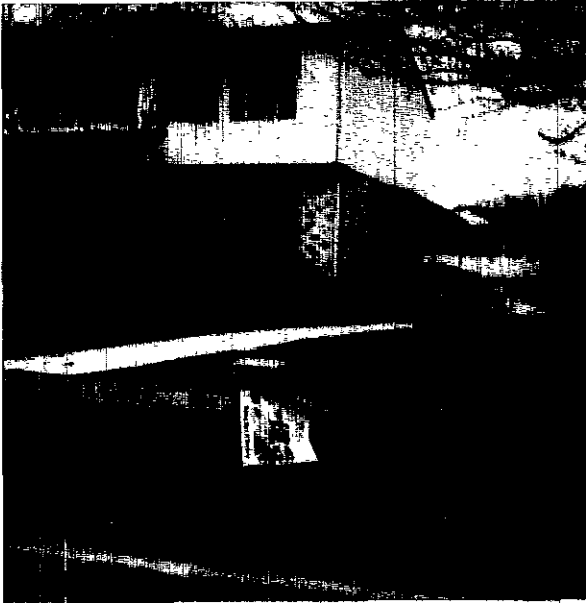
96-324-X



4-08-96



4-08-96



Petitioner's
Exhibits
2A - 2E

96-324-X

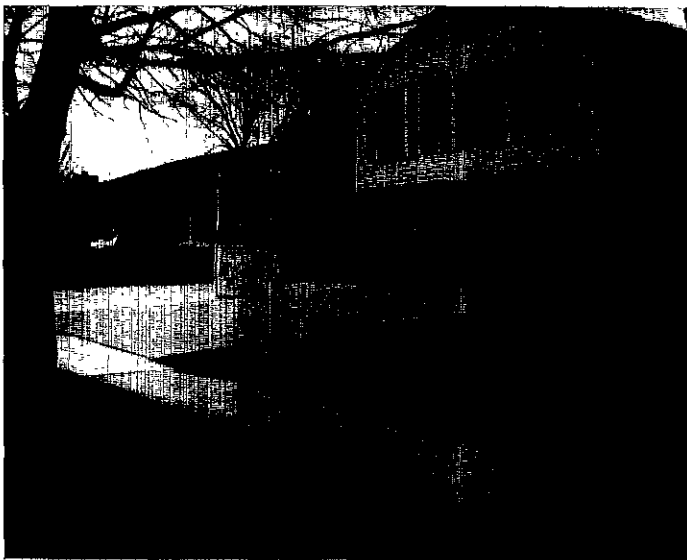
EXHIBIT



2A.



2B



115 Padonia DC



2402 Lestrade DC



2E

posted as required. On behalf of the Petitioner, both Mr. Webber and Mr. Dicker testified that they saw the sign on his property and that the sign was posted on the Petitioners' property the requisite period of time. Therefore, it does not appear that there was any technical violation as to the posting of this property.

As to the relief requested, it is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restric-

ORDER RECEIVED FOR FILING

Date

By

324



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

96-324-X

2426 Eastridge Road

which is presently zoned

DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the

herein described property for the use of 25% of his residence for a professional office (lawyer's office) in a "DR 3.5" Zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

~~XXXXXXXXXXXX~~ Engineer

Paul Lee Engineering, Inc.

(Type or Print Name)

Paul Lee

Signature

304 W. Pennsylvania Avenue

Address

Towson

MD

21204

City

State

Zipcode

Attorney for Petitioner:

Robert E. Donadio

(Type or Print Name)

Robert E. Donadio

Signature

2426 Eastridge Road

252-8063

Address

Phone No.

Lutherville-Timonium, MD

21093

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Robert E. Donadio

(Type or Print Name)

Robert E. Donadio

Signature

Frances Donadio

(Type or Print Name)

Frances Donadio

Signature

2426 Eastridge Road

252-8063

Address

Phone No.

Lutherville-Timonium, MD

21093

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Robert E. Donadio

Name

2426 Eastridge Road

252-8063

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *MDK*

DATE

2/23/96

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S Eastridge Road, 150' S of * DEPUTY ZONING COMMISSIONER
the c/l of Padonia Road * OF BALTIMORE COUNTY
(2426 Eastridge Road)
8th Election District * Case No. 96-324-X
4th Councilmanic District
Robert E. Donadio, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 2426 Eastridge Road, located in the vicinity of Padonia Road in Lutherville. The Petition was filed by the owners of the property, Robert E. and Frances Donadio. The Petitioners seek approval of the use of 25% of the existing dwelling on property, zoned D.R. 3.5, for a professional office (Lawyer). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert and Frances Donadio, legal owners of the property, Paul Lee, Professional Engineer who prepared the site plan, Robert A. and Constance Webber, nearby residents of the area, and Ted Dicker, President of the local community association. Also appearing as an interested citizen was Mary Agnes Wolf, also a nearby resident. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.275 acres, more or less, zoned D.R. 3.5 and is improved with a two-story brick and frame dwelling, attached garage, and swimming pool. Mr. Donadio testified that he and his wife have lived on the property since 1970. He testified that he is a practicing attorney,

64 years of age, and that he would like to down-size his current practice, located at 309 East Joppa Road, and establish a small office within the basement of his home. Mr. Donadio indicated that he would bring in a part-time law clerk and secretary/receptionist to work with him out of his home. Furthermore, Mr. Donadio stated that he would meet with clients by appointment only and that they would be appropriately spaced so that there would be no parking congestion.

Mr. Donadio further testified that there are currently several other professionals, including dentists, doctors, pediatricians, etc., who have established offices within their homes throughout this community. He believes that operating his law practice from his basement would have no detrimental effect upon the surrounding neighborhood, given the fact that these other professional offices have existed without complaint. Furthermore, he testified that he raised seven children in this home, all of whom no longer reside therein, and that the level of traffic that might result from the proposed home office use would not be as great as if all his children were still living at home.

Mr. Paul Lee, the Professional Engineer who prepared the site plan of this property, testified on behalf of the Petitioner and described the proposed use. He testified that the current layout of the property lends itself to effectively handle the proposed law office. In response to the Office of Planning comments concerning parking availability, Mr. Lee and Mr. Donadio argued that there is sufficient space within the existing driveway and garage as well as along Eastridge Road to handle any additional parking which might be generated by the proposed use and, thus, do not believe it necessary to provide additional paved parking in the front yard. Furthermore, Mr. Donadio believes that to require such a parking

- 2 -

area in the front of his property would be an eyesore and detract from the residential character of the neighborhood.

Mr. Ted Dicker, President of the local community association, testified that he concurred with this position regarding parking in the front yard. Mr. Dicker has resided in this community for 25 years, and both he and his community association have no objections to a lawyer's office operating from the basement of this dwelling. Furthermore, the community is also opposed to any additional paving being done in the front yard of this property to preserve the residential integrity of the site.

Mr. Robert Webber, a 22-year resident of Tregarone Road, also supports the use proposed and believes that no additional parking need be provided in the front yard of this property.

Appearing as an interested citizen was Mary Agnes Wolf, who has resided in this community for the past 23 years. Ms. Wolf resides just down the street from the subject property on Tregarone Road. Ms. Wolf supports the use of the basement by Mr. Donadio as his law office; however, she is concerned about traffic congestion at the intersection of Eastridge Road and Padonia Road, as well as traffic on her own road. Ms. Wolf is concerned that the proposed use will generate additional traffic in the neighborhood and appeared at the hearing for assurance that such would not be the case. Furthermore, Ms. Wolf raised an issue regarding the sign which must be posted on the property announcing the hearing on this matter. Her testimony indicated that the sign was not posted on the property for the appropriate amount of time.

In response to this issue, Mr. Donadio testified that the Zoning Office had, in fact, posted his neighbor's property by mistake and that he notified the Zoning Office of this error so that his property could be

- 3 -

posted as required. On behalf of the Petitioner, both Mr. Webber and Mr. Dicker testified that they saw the sign on his property and that the sign was posted on the Petitioners' property the requisite period of time. Therefore, it does not appear that there was any technical violation as to the posting of this property.

As to the relief requested, it is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restric-

- 4 -

tions as more fully described below. Furthermore, I find that parking accommodations as they currently exist are sufficient to handle the additional traffic that might be generated by the proposed law office. Therefore, it is not necessary for the Petitioner to provide additional paved parking on the premises. The existing driveway, the garage on the south side of the property, and the availability of parking along Eastridge Road appear to be more than adequate to service the proposed use and thus, no further improvements to provide additional parking on-site are necessary.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of April, 1996 that the Petition for Special Exception to approve the use of 25% of the existing dwelling on the subject property, zoned D.R. 3.5, for a professional office (Lawyer), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the existing parking is sufficient to accommodate any additional parking which might be generated by the proposed use and, thus, it will not be necessary for the Petitioner to provide additional paved parking on the premises.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 5 -

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 19, 1996

Mr. & Mrs. Robert E. Donadio
2126 Eastridge Road
Lutherville, Maryland 21093

RE: PETITION FOR SPECIAL EXCEPTION
W/S Eastridge Road, 150' S of the c/l of Padonia Road
(2426 Eastridge Road)
8th Election District - 4th Councilmanic District
Robert E. Donadio, et ux - Petitioners
Case No. 96-324-X

Dear Mr. & Mrs. Donadio:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Robert A. Webber
105 Tregarone Road, Timonium, Md. 21093

Ms. Mary Agnes Wolf
102 Tregarone Road, Timonium, Md. 21093

People's Counsel

File

Printed with Soy-based Ink
on Recycled Paper.

MICROFILMED



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 2426 Eastridge Road
96-324-X which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for the use of 25% of his residence for a professional office (lawyer's office) in a "DR 3.5" Zone.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and we to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Engineer

Paul Lee Engineering, Inc.

Paul Lee

Signature

304 W. Pennsylvania Avenue

Towson MD 21204

City State Zipcode

Attorney for Petitioner:

Robert E. Donadio

Robert E. Donadio

Signature

2426 Eastridge Road 252-8063

Lutherville-Timonium, MD 21093

City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

Robert E. Donadio

Robert E. Donadio

Signature

Frances Donadio

Frances Donadio

Signature

2426 Eastridge Road 252-8063

Lutherville-Timonium, MD 21093

City State Zipcode

Robert E. Donadio

2426 Eastridge Road 252-8063

Lutherville-Timonium, MD 21093

City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

the following date: 2/2/96

ALL OTHER DATE 2/2/96

REVIEWED BY: DATE 2/2/96

Paul Lee P.E.

Paul Lee Engineering, Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-821-5341

96-324-X

DESCRIPTION

#2426 EASTRIDGE ROAD

8th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of Eastridge Road, said point also being located S 01°48'49" E - 150.00 feet from the center of Padonia Road; thence running and binding on the east side of Padonia Road (1) S 01°48'49" E - 80.00 feet, thence leaving said east side of Eastridge Road (2) S 88°11'11" W - 125.00 feet, thence (3) N 01°48'49" W - 80.00 feet and (4) N 88°11'11" E - 125.00 feet to the point of beginning.

Containing 0.229 acres of land more or less.

J.O. 95-031
1/23/96

#324

MICROFILMED

Engineers - Surveyors - Site Planners

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-324-X

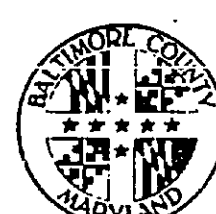
District: 8th Date of Posting: 3-21-96
Posted for: April 8, 1996 hearing
Petitioner: Robert E. Donadio
Location of property: 2426 Eastridge Rd
Location of Sign: _____
Remarks: _____
Posted by: Mark Gault Date of return: _____
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/14, 1996.

THE JEFFERSONIAN,
A. HARRISON
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 015580
96-324-X
DATE 2/23/96 ACCOUNT 01-615
Item: 324
Pay: 750.00 AMOUNT \$ 335.00
RECEIVED FROM: Donadio, Robert - 2426 Eastridge Rd
050 - Special Exception - \$ 300.00
050 - 1 sign - \$ 35.00
FOR: 00000000000000000000 \$ 335.00
VALIDATION OR SIGNATURE OF CASHIER
PRK AGENCY YELLOW-GREEN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 324 Petitioner: Robert E. Donadio

Location: 2426 Eastridge Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert E. Donadio

ADDRESS: 2426 Eastridge Road

Towson, MD 21093

PHONE NUMBER: 252-8063

Printed with Soybean Ink
on Recycled Paper

17

TO: PRUDENT PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Robert E. Donadio
2426 Eastridge Road
Towson, MD 21093
252-8063

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-324-X (Item 324)
2426 Eastridge Road
W/S Eastridge Road, 150' S of c/l Padonia Road
8th Election District - 4th Councilmanic
Legal Owner: Robert E. Donadio and Frances Donadio

Special Exception for the use of 25% of residence for a professional office (lawyer's office).

HEARING: MONDAY, APRIL 8, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE S. SCHWYD
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 7, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-324-X (Item 324)
2426 Eastridge Road
W/S Eastridge Road, 150' S of c/l Padonia Road
8th Election District - 4th Councilmanic
Legal Owner: Robert E. Donadio and Frances Donadio

Special Exception for the use of 25% of residence for a professional office (lawyer's office).

HEARING: MONDAY, APRIL 8, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon

Arnold Jablon
Director

cc: Robert and Frances Donadio
Paul Lee Engineering, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 1, 1996

Robert E. Donadio, Esquire
2426 Eastridge Road
Lutherville-Timonium, MD 21093

RE: Item No.: 324
Case No.: 96-324-X
Petitioner: R. E. Donadio

Dear Mr. Donadio:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: March 13, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 2426 Eastridge Road

INFORMATION:

Item Number: 324

Petitioner: Robert E. Donadio

Property Size: _____

Zoning: DR 3.5

Requested Action: _____

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The requested Special Exception for a lawyer's office to occupy 25% of the residence is located at 2426 Eastridge Road in the well maintained neighborhood of Coachford. The Baltimore County Master Plan 1989-2000 has designated this property as a Community Conservation area. The applicant must demonstrate that the use will not be detrimental to the health, safety and welfare of the neighborhood, will not overcover the land or create traffic congestion as per Section 502 of the Baltimore County Zoning Regulations.

The plan fails to indicate the number of employees proposed and the hours and days of operation. Proposed lighting should also be indicated on the plan.

The alternative parking layout will be detrimental to the character of the area as it will require paving over 60% of the front yard. The applicant should make other provisions for providing the five parking spaces or seek a Variance.

It should be noted that a sign with white letters on a red background is presently located at the basement entrance to the building with the address 2426A indicated. If the proposed Special Exception is granted, the sign should be replaced with one that is more residential in character not to exceed one square foot in area.

Prepared by: *Jeffrey W. Long*

Division Chief: *Gayle Kline*

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: March 11, 1996

FROM: Robert W. Bowling, Chief

Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 1996
Item No. 324

The Development Plans Review Division has reviewed the subject zoning item. Prior to removal of any existing curb for the adjusted entrance, the Developer shall obtain a permit from the Permit and Development Management office.

The adjusted driveway shall be constructed in accordance with Baltimore County standards with depressed curb and 7-inch concrete approve within the right-of-way.

RWB:jrb

cc: File

ZONE1B

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBERT E. DONADIO & FRANCES DONADIO

Location: W/S EASTRIDGE RD., 150' S OF CENTERLINE PADONIA RD.
(2426 EASTRIDGE RD.)

Item No.: 324 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
PDM

DATE: March 13, 1996

FROM: Robert A. Wirth *RAW/paw*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting of: March 4, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 316
317
318
319
322
323
324

RAW:sp
MTG/DEPRM/TXTSPB

RECEIVED
MAR 13 1996
PDM

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-1-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 324 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

RE: PETITION FOR SPECIAL EXCEPTION
2426 Eastridge Road, W/S Eastridge Rd.,
150' S of c/l Padonia Road, 8th
Election District, 4th Councilmanic
Robert E. and Frances Donadio
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-324-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert E. Donadio, Esquire, 2426 Eastridge Road, Timonium, MD 21093, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

96-3677

100 Trappanna Road
Timonium, Maryland 21093-2522
24 June 1996

Baltimore County Government
Office of Planning and Zoning
c/o A. Jablon
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

Enclosed please find check # 379 2 \$20.00 for a copy of the tape of the Zoning hearing of

8 April 1996
96 - 324 - X PM 115

heard by Deputy Zoning Commissioner for Baltimore County, Timothy M. Kotzcoo. Per phone call to the office, I have been advised that this request would include copies of the pictures presented by MaryAgnes Wolf.

Please send to: MaryAgnes Wolf
100 Trappanna Road
Timonium, Maryland
21093-2522

Very truly yours,
MaryAgnes Wolf
MaryAgnes Wolf
(ltn.)

P.S. be advised that this office has a bad copy of
Shel: 1 the taped record of the above referenced hearing
due to a malfunction of the tape recorder.

*Pls return the check of \$20.00 to Ms. Wolf

2 1996

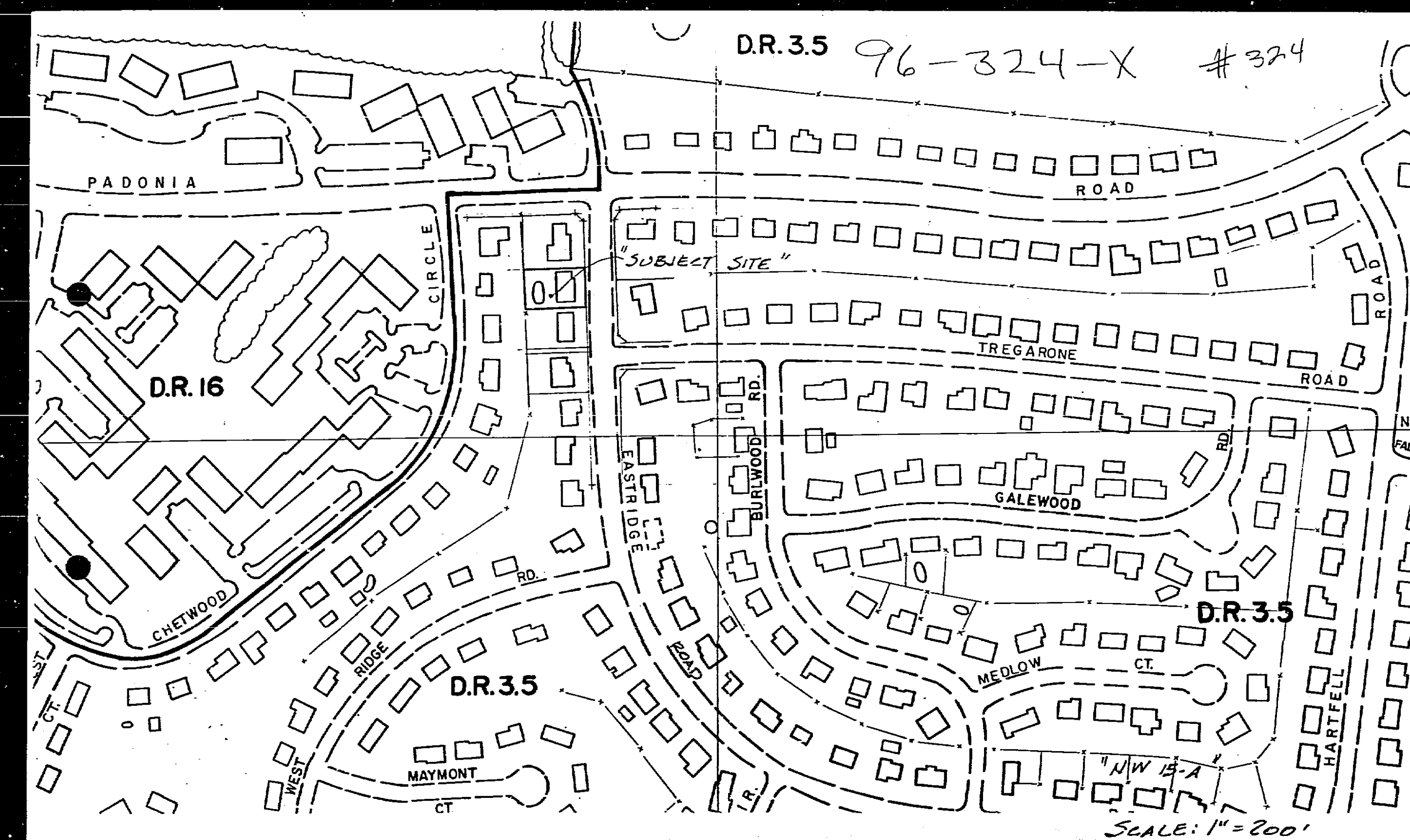
MICROFILMED

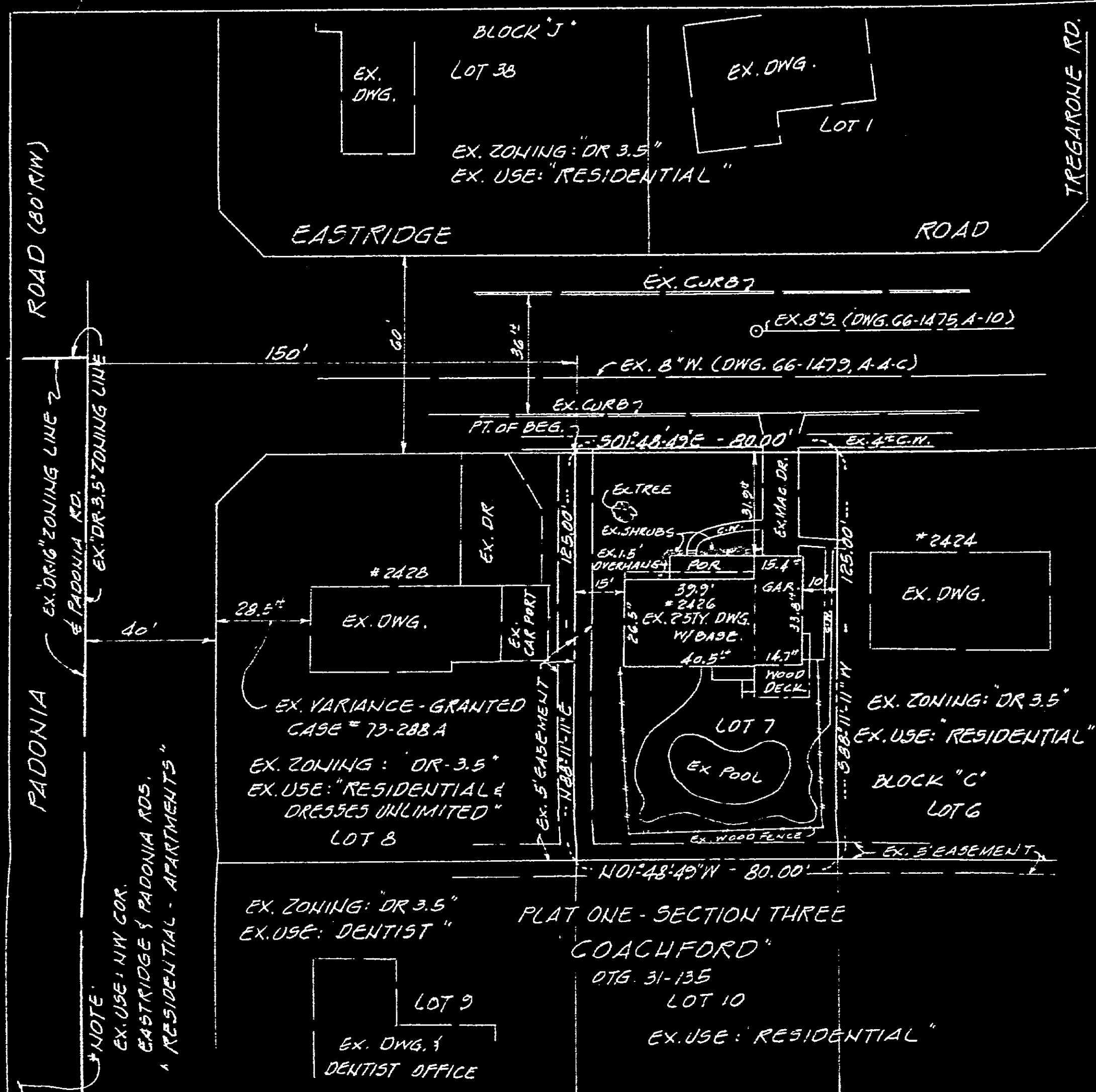
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Robert A. Wirth</i>	2426 Eastridge Rd. Timonium MD 21093
<i>Timothy M. Kotzcoo</i>	304 W. Penn. Ave. Towson
<i>Robert P. Jablon</i>	100 Trappanna Rd. Timonium MD 21093
<i>Christopher M. Wirth</i>	115 Trappanna Rd. Timonium MD 21093
<i>Frances E. Donadio</i>	2426 Eastridge Rd. Timonium MD 21093
<i>Citizen Mary Agnes Wolf</i>	100 Trappanna Rd. 21093

MICROFILMED





GENERAL NOTES:

1. AREA OF PROPERTY = 0.222 A.C. (GROSS = 0.275 A.C.)
2. EXISTING ZONING OF PROPERTY = "DR 3.5"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "DR 3.5"
5. PROPOSED USE OF PROPERTY = "RESIDENCE & PROFESSIONAL OFFICE"
6. AREA OF EXISTING 2-STY. DWELLING:
 - 1. 1ST FLOOR = 39.9' x 26.5' + 33.8' x 15.4' = 1057.4 + 520.5 = 1577.9 S.F.
 - 2. 2ND FLOOR = 39.9' x 26.5' = 1117.2 S.F.
 - 3. BASEMENT = 39.9' x 26.5' = 1057.3 S.F.
 - TOTAL = 3752.4 S.F.
7. AREA OF PROPOSED PROFESSIONAL OFFICE PERMITTED:
 - (25% 3752.4) = 938.1 S.F.
8. AREA OF PROPOSED PROFESSIONAL OFFICE = 809.0 S.F.
9. REQUIRED OFF-STREET PARKING = 809 @ 8.3 RS/1000 SF = 27 + 2 = 29.
10. NUMBER OF PARKING SPACES SHOWN: SEE ALTERNATE PARKING AREA SCHEME
11. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT 25% OF A RESIDENCE TO BE USED AS A PROFESSIONAL OFFICE (LAWYER) IN A "DR 3.5" ZONE.
12. ALL VISITS BY APPOINTMENT ONLY.
13. PROPOSED SIGN IN ACCORDANCE WITH SECT. 413 & EXISTING ZONING POLICIES.

96-324-X

PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY PETITION FOR

SPECIAL EXCEPTION
2426 EASTRIDGE ROAD

ELECT. DIST. 864 BALTIMORE CO., MD.
SCALE: 1" = 30' JAN. 25, 1996

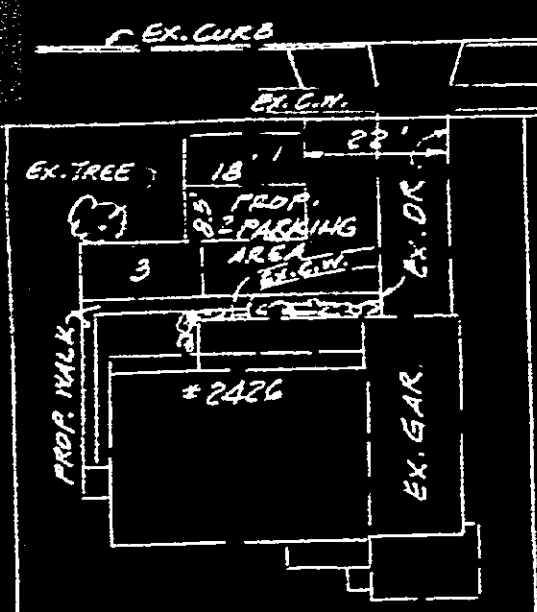
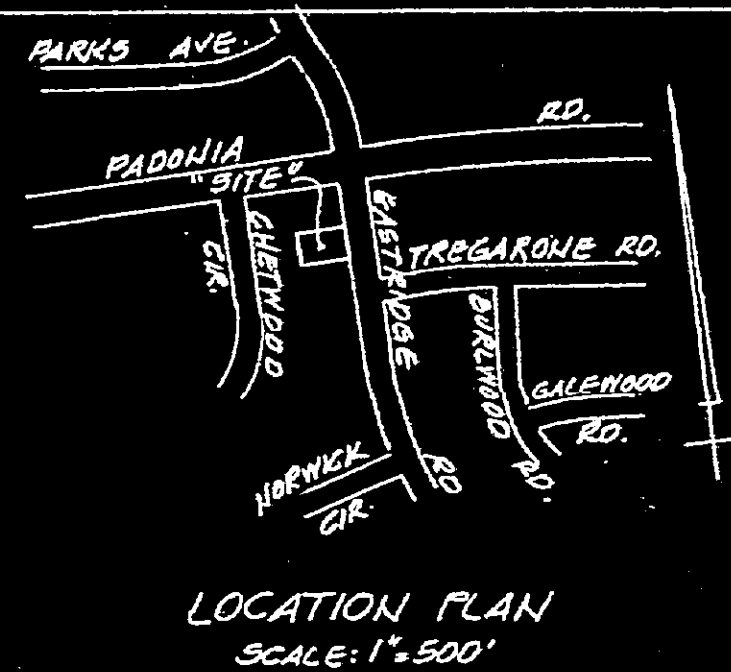
MICROFILMED # 324

OWNER:
ROBERT E. DONADIO
2426 EASTRIDGE ROAD
LUTHERVILLE-TIMONUM, MD. 21093

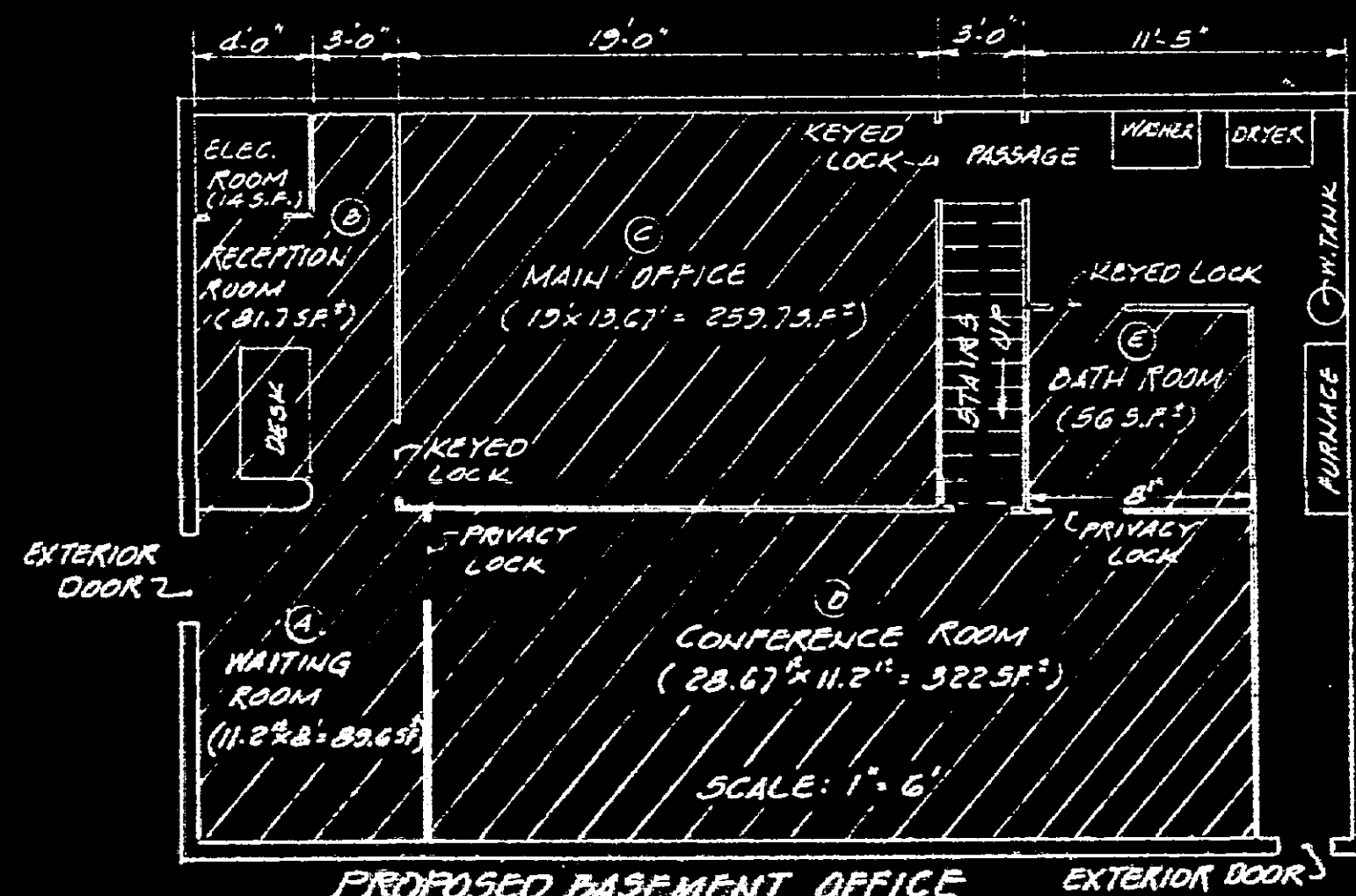
PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



75-021



ALTERNATE PARKING AREA
IF REQUIRED BY ZONING COMMISSIONER

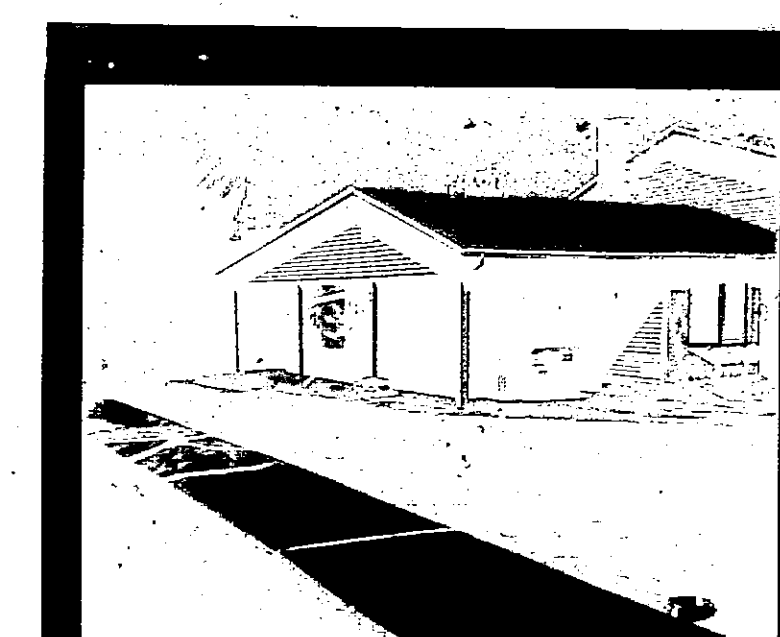
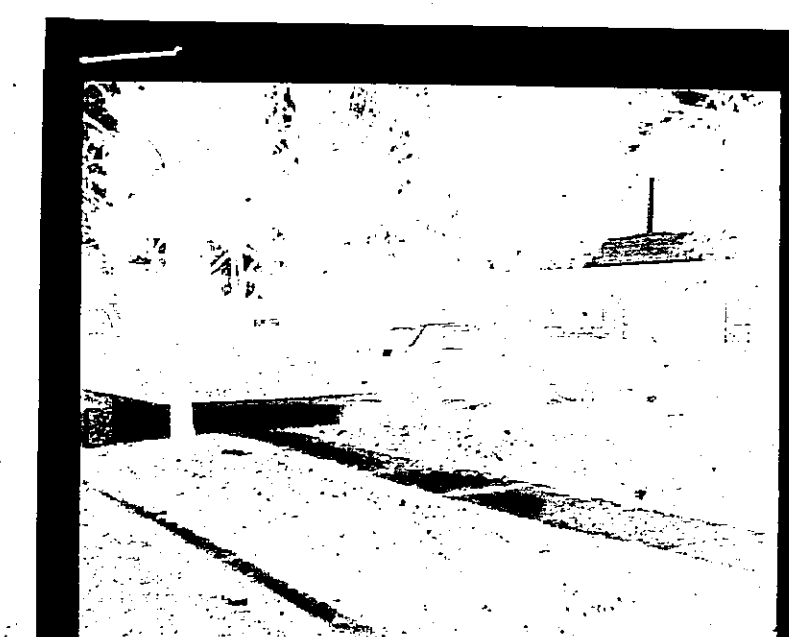
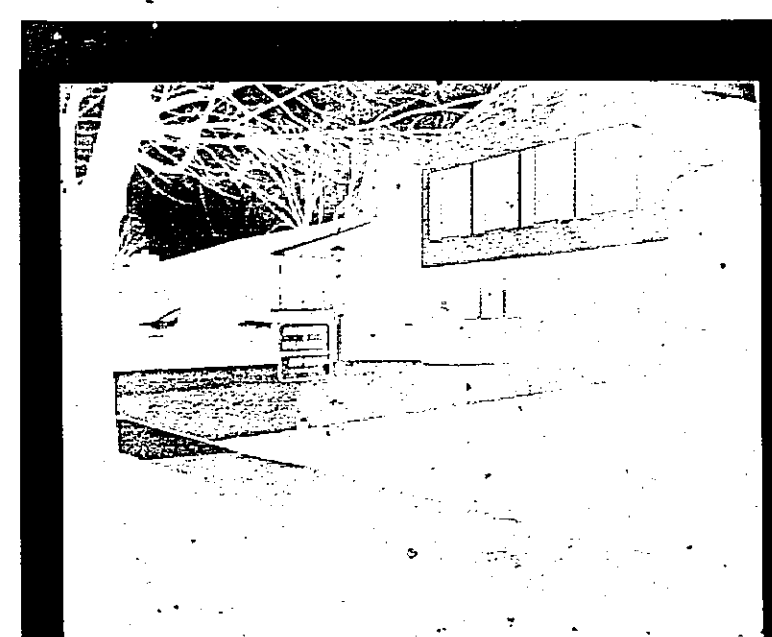
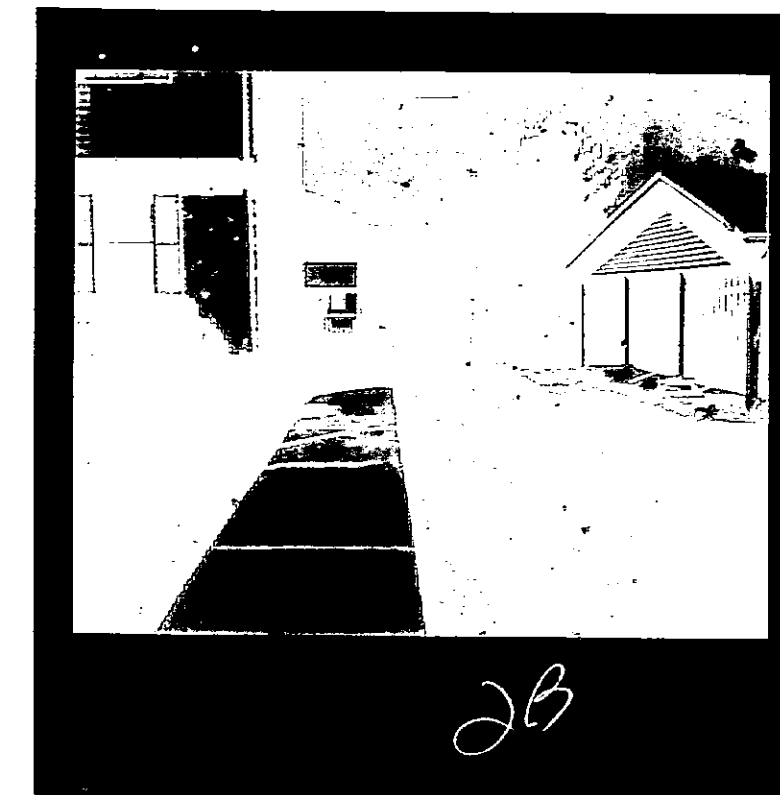
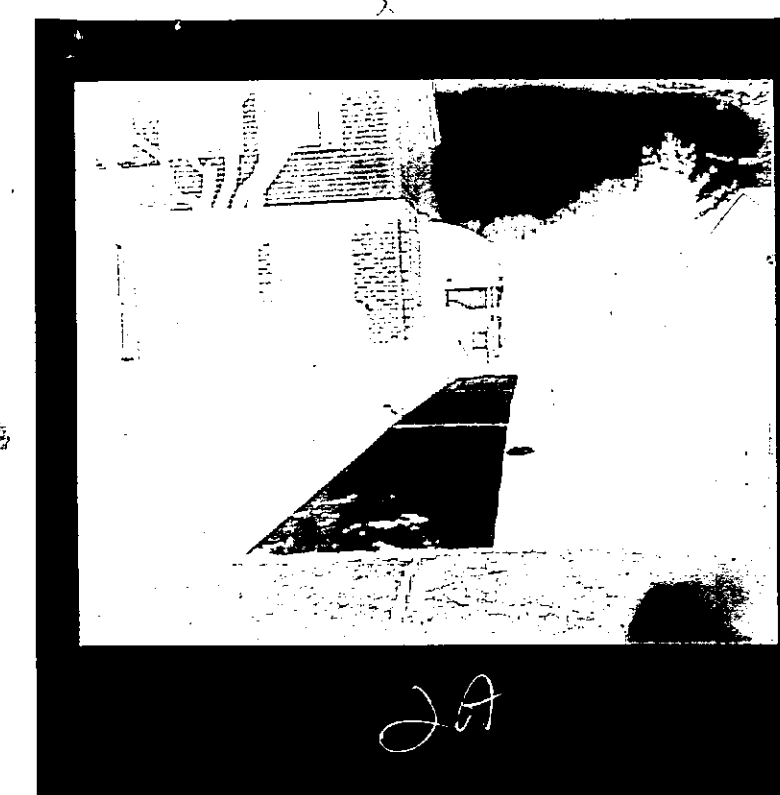


PROPOSED OFFICE AREA	
(A) WAITING ROOM	= 125.3 SF
(B) RECEPTION ROOM	= 259.7 SF
(C) MAIN OFFICE	= 259.7 SF
(D) CONFERENCE ROOM	= 320.3 SF
(E) BATH ROOM	= 31.4 SF
TOTAL AREA	= 996.4 SF

Petitioner's
Exhibits
2A - 2E

96-324-X

MICROFILMED



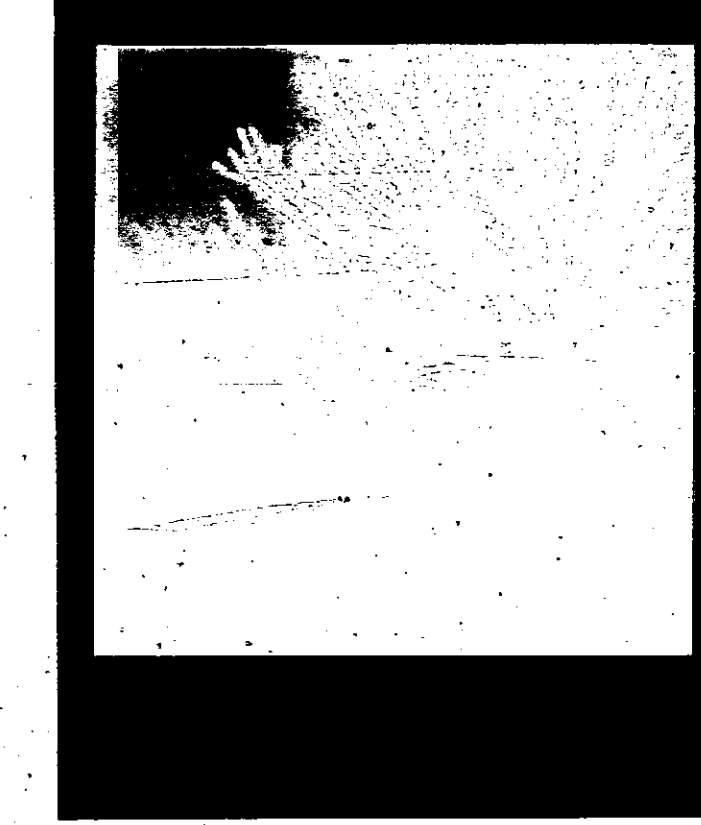
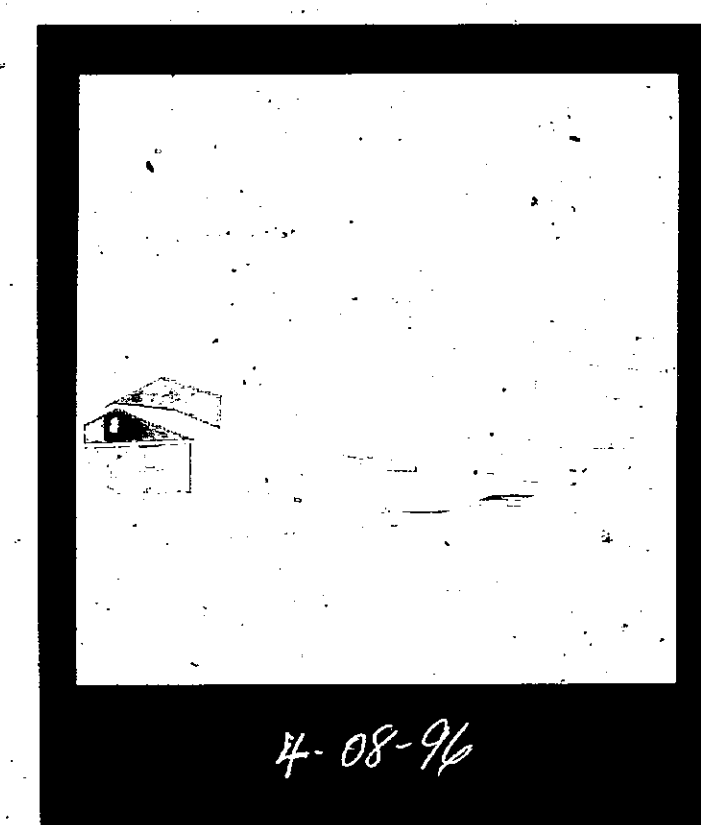
115 Padonia 2C

1402 Eastridge 2D

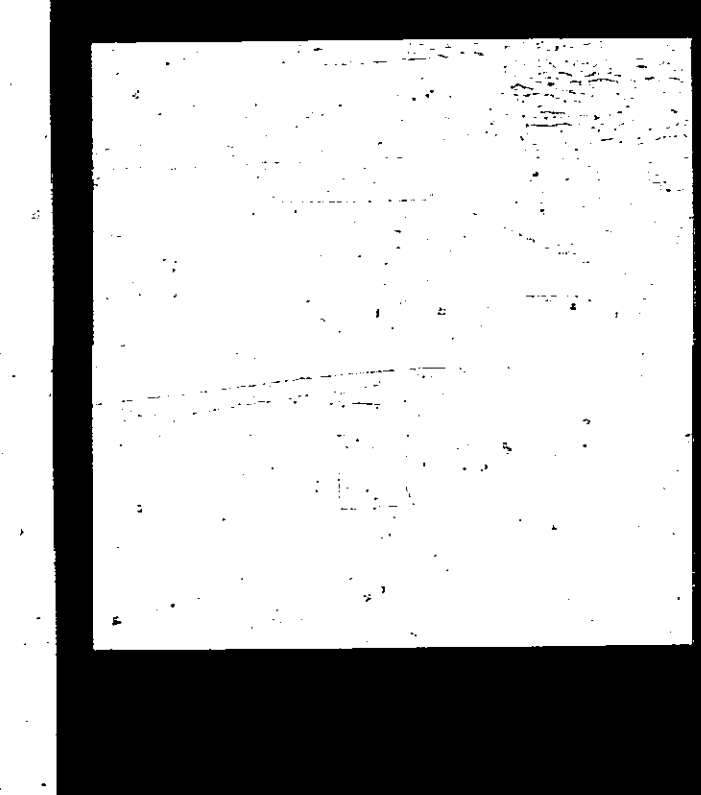
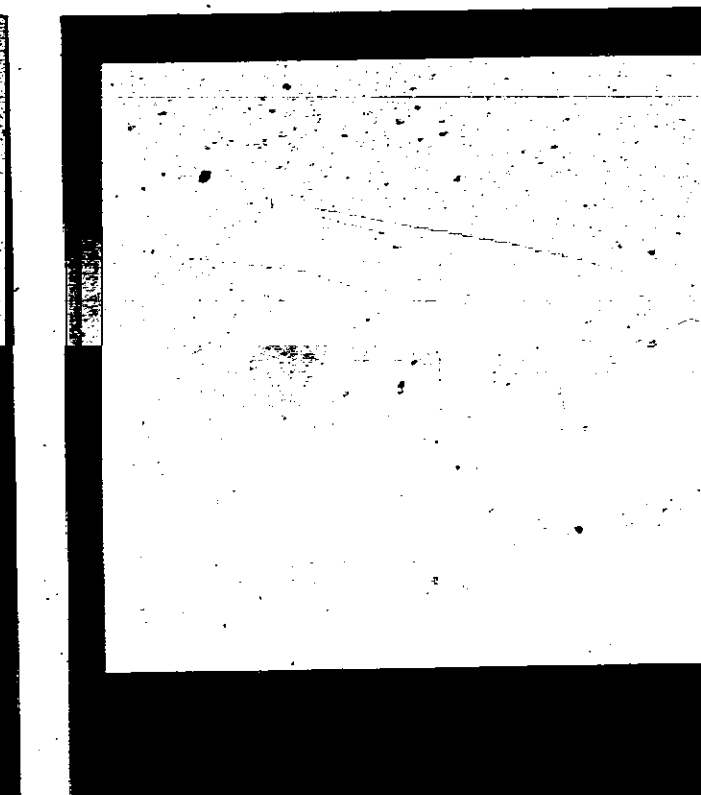
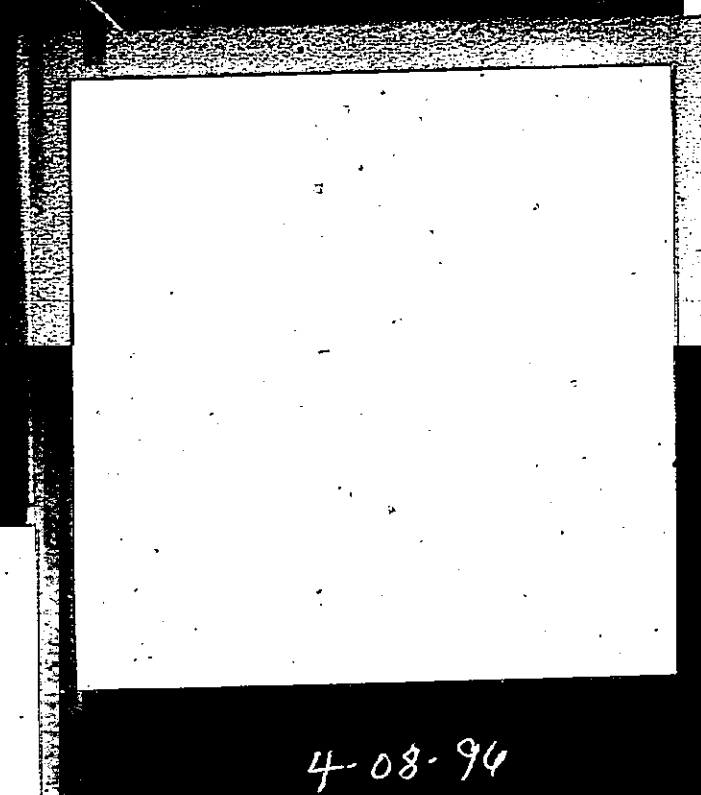
2E

Petitioner's
Exhibits
1A - 1E

96-324-X



4-08-96



4-08-96